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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/195,604	11/19/1998	NABUAKI TOMIDOKORO	0557-4524-2	4501

22850 7590 07/07/2003

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1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER

POKRZYWA, JOSEPH R

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 07/07/2003

22

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/195,604

Applicant(s)

TOMIDOKORO ET AL.

Examiner

Joseph R. Pokrzywa

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 June 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: of the reasons indicated in the attached Office action.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☒ Other: Note the attached Interview Summary (PTO-413)

  
EDWARD COLES  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

## DETAILED ACTION

### *Advisory Action*

1. The period for reply continues to run 3 MONTHS from the date of the final rejection. Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a) accompanied by the appropriate fee. The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. A reply within the meaning of 37 CFR 1.113 or a request for a continued examination (RCE) in compliance with 37 CFR 1.114 must be timely filed to avoid abandonment of this application.

### *Response to Arguments*

2. The request for reconsideration dated 6/9/03 has been entered and considered but does not overcome the rejection because of the following reasons.

3. In response to applicant's arguments regarding the rejection of independent **claim 1**, being anticipated by Ogura (European Patent Application EP 0 768 582), as cited in the Office action dated 3/10/03, which state on pages 2 and 3 that Ogura fails to teach if each of the image forming devices is configured to detect a transmission fault from at least one of the central service station and the communication control unit over a predetermined period through a periodically initiated process and too display a signal line separation message when the image forming device detects the transmission fault. The examiner notes that during an interview with applicant's representative dated 5/20/03, it was indicated that the sections cited in Ogura may not

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teach if the detection process is a periodically initiated process. That Office action cited sections in columns 31 through 33, which discuss a periodic process involving inhibiting functions between a work start time and a work stop time. However, after thoroughly reviewing the reference of Ogura, the examiner finds that in column 25, line 2 through column 27, line 20, various polling processes are described. Specifically, in column 27, lines 8 through 20, a process is disclosed that indicates if a particular destination of a call is busy, connection to the destination of the call is enhanced by initializing a counter for a number of times of reoriginated calls to the destination. With this, one of ordinary skill in the art can thereby interpret Ogura as teaching "each of the image forming devices being configured to detect a transmission fault ... through a periodically initiated process", since calls are reoriginated a number of times to the destination, which is a periodically initiated process. Therefore, Ogura can be interpreted as teaching the limitation that requires each of the image forming devices (seen in Figs. 5, 21 and 22) being configured to detect a transmission fault (being the "reporting result report received" in Figs. 21 and 22) from at least one of the central service station and the communication control unit over a predetermined period ("timer > 3 minutes" in Fig. 21 and "timer > 20 minutes" in Fig. 22) through a periodically initiated process (column 27, lines 8 through 20, wherein calls are reoriginated to the destination upon receiving a busy signal, thereby being periodically initiated), and to display a signal line separation message ("failure of automatic reporting displayed") when the image forming device detects the transmission fault from at least one of the central service station and the communication control unit over the predetermined period (see Figs. 21 and 22, column 22, line 39 through column 23, line 42).

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4. Therefore, the rejection of **claims 1-7 and 30-36**, as cited in the Office action dated 3/10/03, under 35 U.S.C. 102(b), as being anticipated by Ogura, is maintained.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (703) 305-0146. The examiner can normally be reached on Monday-Friday, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

jrj  
July 1, 2003

J.R.P.  
Joseph R. Pokrzywa  
Examiner  
Art Unit 2622  
EDWARD COLES  
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